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Attention: Office of Petitions
Assistant Commissioner for Patents
U. S. Patent and Trademark Office
Washington, D.C. 20231

on June 28, 2001

TOWNSEND and TOWNSEND and CREW LLP

By Sara B. McPeak
Sara B. McPeak

PATENT

Attorney Docket No.: 16301-002010

Client Ref. No. 000888USA

C01/PDD/KPU8/JW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of:

Chau Nguyen et al.

Application No.: 09/190,961

Filed: November 12, 1998

For: LIQUID PHOSPHOROUS
PRECURSOR DELIVERY
APPARATUS

Examiner: Richard Bueker

Art Unit: 1763

**PETITION TO REVIVE PATENT
APPLICATION UNINTENTIONALLY
ABANDONED (37 C.F.R. §§ 1.137(b))**

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OFFICE OF PETITIONS

Sir:

Applicants herein petition for revival of this application.

A Final Office Action was issued December 5, 2000 rejecting all pending claims. The undersigned interviewed the Examiner, Richard Bueker, by telephone on June 1, 2001. The telephone interview concluded with the undersigned having the impression that an Amendment filed by the June 5, 2001, fully extended deadline, would result in the allowance of the pending case. Hence, Applicants timely filed an Amendment on Monday, June 4, 2001 with the requisite three month extension pursuant to 37 CFR § 1.136(a) and the appropriate fee under 37 CFR § 1.17(a)(3). Applicants did not file a Request for Continued Examination (RCE) nor a Notice of Appeal under the belief that the Amendment would place the case in condition for

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Name of Inventor: Ghau Nguyen et al.

Serial No.: 09/190,961

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allowance.

The Examiner subsequently issued an Advisory Action on June 14, 2001 indicating the Amendment filed June 4, 2001 would not be entered. A Notice of Abandonment was mailed on June 19, 2001.

This Petition is being timely filed less than one month after Applicants were first notified of the Abandonment. The Abandonment of the subject application was wholly unintentional, as provided above. Applicants misunderstanding of the Examiner's intentions resulted in the unintentional abandonment of this application. If Applicants had understood the after final Amendment would not have been entered by the Examiner, Applicants would have timely submitted a Request for Continued Examination along with the June 4, 2001 Amendment.

Hence the entire delay from the response deadline to the final Amendment was unintentional.

Accompanying this Petition for Revival (with the requisite fee of \$1,240.00 pursuant to 37 CFR § 1.17(m)), Applicants submit a Request for Continued Examination (RCE) (with the requisite fee of \$710.00 pursuant to 37 CFR § 1.17(e)). Applicants request, within the RCE, that the June 4, 2001 Amendment be fully considered.

The Commissioner is hereby authorized to charge Deposit Account No. 20-1430 the following fees:

RCE fee in the amount of:\$710.00

Petition for Revival fee in the amount of:1,240.00

Total *RCE* and *Petition for Revival* fees to be paid.....\$1,950.00

Please charge any additional fees or credit overpayment to the above Deposit Account. This Petition is submitted in triplicate.

Name of Inventor: Ghau Nguyen et al.

Serial No.: 09/190,961

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This utility patent application was filed after June 8, 1995 and no terminal disclaimer is required.

Respectfully submitted,



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